



"The mission of the Council is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet."

December 23, 2008

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Mr. Randy Bates, Director
Division of Coastal and Ocean Management
Department of Natural Resources
P.O. Box 111030
Juneau, Alaska 99811-1030

Fax: (907) 465-3075

RE: The proposed changes to the Alaska Coastal Management Program (ACMP) statutes and regulations

Dear Mr. Bates:

The Cook Inlet Regional Citizens Advisory Council submits these comments for inclusion in the record regarding the proposed changes to the Alaska Coastal Management Program (ACMP) statutes and regulations. We understand there is no requirement for public involvement at this stage, and we appreciate the opportunity provided by the Alaska Department of Natural Resources (ADNR) to submit comments.

The Cook Inlet Regional Citizens Advisory Council (Cook Inlet RCAC) is organized exclusively under the provisions of Section 5002 of the Oil Pollution Act of 1990, (OPA 90). Our mission is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet.

Cook Inlet RCAC acknowledges that some positive changes are proposed for the ACMP, notably language to reintegrate the Alaska Department of Environmental Conservation (ADEC) into the ACMP consistency review process. However, our principal concern remains with the revisions to the ACMP statutes that removed the status of the Regional Citizens Advisory Councils (RCACs) as a review participant. Therefore, Cook Inlet RCAC recommends two changes to the proposed regulations that would greatly improve the process. First, and foremost, we recommend reinstituting the RCACs as review participants, and second, we recommend removing the proposal to conduct separate reviews for certain ADEC permits, such as oil spill contingency plans.

The proposed changes to 11 AAC 110.020 would exempt certain ADEC authorizations, including oil spill contingency plans from the coordinated consistency review process, thereby subjecting them to a separate review. We believe this provision would cause a fragmented analysis of future projects and result in improper phasing of reviews. As long as an applicant has done sufficient preparation before submitting a coastal project questionnaire, there would be no need to exclude this authorization from the review. If an applicant qualifies for a phased review under provisions in AS 46.40.094, an exemption under this regulation would be unnecessary.

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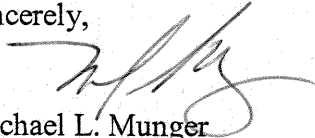
RE: Proposed changes to the ACMP statutes and regulations

We are not aware of any instances in Cook Inlet where it would have been advisable to phase an oil spill contingency plan from a coordinated ACMP review.

Furthermore, we understand that ADNIR will not approve any district enforceable policies that address water quality issues, unless the policies are approved by ADEC. Specific to our mission, we are concerned with limitations of districts to establish enforceable policies for air and water quality issues, including policies that could be applied to outer continental shelf activities.

In summary, we are concerned with the loss of the public review process through the removal of the RCAC's as a review participant, and we are equally concerned that some of the proposed changes to the ACMP may result in diminished protection for coastal resources.

Sincerely,



Michael L. Munger
Executive Director

cc: Senator Mark Begich, U.S. Congress
Senator Lisa Murkowski, U.S. Congress
Representative Don Young, U.S. Congress